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REMARKS

The present response is to the Office Action mailed in the above-referenced case on December 15, 2003. Claims 1-32 are pending in the application. The Examiner has maintained the rejection of claims 1-32 under 35 U.S.C. 102(b) as being anticipated by Chang (U.S. 5,634,015), hereinafter Chang.

Applicant has again carefully studied the reference and Chang, as well as the Examiner's statements of the instant Office Action. In response, applicant hearing provides further argument that not all of applicant's claimed limitations are anticipated by Chang. Applicant points out and argues the key and patentable limitations of applicant's claims, which still appear to be misunderstood by the Examiner.

In the previous response filed by applicant as Response B, which was to the Final Office Action dated July 21, 2003, applicant provided substantial argument that Chang teaches data packet management, not data packet event management, which is a clear distinction of the claimed invention over that of Chang, and that Chang does not disclose, suggest or even discuss managing data packet events.

The Examiner has responded to applicant's previous arguments in the comments of the instant Office Action, stating that applicant has failed to address the issues raised by the Examiner in the last Office Action, one being that Chang teaches that packets coming from a network/device inherently include an ID that uniquely identifies the packets and that packets received via the adapter port include packet header control information, which is different for every packet, thus identifying the arriving data packet event.

Applicant believes that the issue was indeed more than adequately addressed, and will strongly reiterate for the Examiner applicant's position on this issue. Applicant agrees that all data packets include header information uniquely identifying that particular packet, and that the header information is different for each

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packet, but applicant strongly disagrees that it is the event that is identified in Chang, as opposed to the packet. Applicant's invention teaches that the data packet events include the arrival or sending of a packet, or could also be comparing one packet to another, changing the priority of a packet, eliminating a packet, and so on. The data packet event could be any activity of the data packet, and it is this event activity, not the packet, that is identified and managed by applicant's claimed Background Event Buffer Manager (BEBM). Applicant's invention teaches event identification, which is distinctly different from packet identification, and one has nothing whatsoever to do with the other. The Examiner insists on rejecting applicant's claims over teaching of packet identifiers, which is not what is claimed.

The Examiner has further stated in the "Response to Arguments" section of the instant Office Action, that Chang teaches "activities of data packets" and since Chang teaches activities of data packets, the next logical step is to say that the data packet event is also taught.

Applicant agrees with the Examiner that Chang teaches "activities of data packets", and therefore teaches data packet events. However, applicant argues that all data packet router processors in the prior art must deal with packets as they arrive or depart, and data packet "events" therefore occur. Applicant does not dispute this fact. Further, applicant does not claim data packet events. Applicant claims that the data packet events are uniquely identified and handled differently than systems of the prior art, by utilizing the unique Background Event Buffer Manager running in the background, in conjunction with the Background Memory Manager, rather than relying on the processor to handle the ordering and managing of events.

Normally in the art, the data packet processor handles the data packet events, and as taught in the reference and Chang, as is substantially and repeatedly described in the disclosure of Chang, the processor does indeed deal with at least some of the data packet events, which teaches away from applicant's invention. Applicant points out to the Examiner that applicant's independent claims specifically recite that the

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Background Event Buffer Manager handles all of the data packet events, without relying on a processor, thereby freeing up the processor for other required tasks.

Applicant wishes to make it very clear to the Examiner that applicant does not claim that only applicant's claimed invention teaches that data packet events occur, nor does applicant claim that only applicant's claimed invention teaches identifying a data packet. Applicant does claim, however, that only applicant's claimed invention teaches a Background Event Buffer Manager, which processes and manages all of the data packet events, instead of relying on the processor for carrying out these tasks.

Referring now to the reference of Chang, the Examiner has stated that, as to applicant's claim 1, Chang teaches applicant's claimed Background Event Buffer Manager, referring to the Generic Adapter Manager 18 (col. 10, lines 33-67, col. 11, lines 30-47). Applicant wishes to point out to the Examiner, however, that Gam 18 manages packet memory buffer space. Applicant's invention, on the other hand, teaches managing data packet events, utilizing an event buffer, not a data packet buffer as is clearly described in the above portions of Chang cited and applied by the Examiner.

Upon careful and thorough review of the reference of Chang applicant is very certain that there is no explicit teaching, suggestion or motivation anywhere in the reference for data packet event management, nor does Chang even discuss ordering and accounting for data packet events, or receiving, queuing or acknowledging to the processor queued event identifications. Applicant strongly believes that this is a key and patentable distinction of applicant's invention over that of Chang, and therefore accordingly deserves patentable weight.

Applicant therefore believes that claim 1, in its present form, distinguishes unarguably over the reference of Chang, as Chang clearly does not disclose all of the limitations of applicant's claim, particularly ordering and accounting for events by receiving, queuing, and acknowledging event IDs. Applicant's independent claims 9 and 17 recite a data processing system and network packet router for practicing

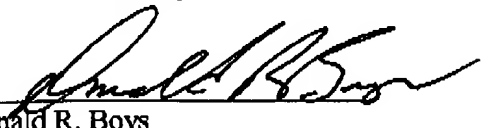
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applicant's invention as embodied in claim 1, characterized in that the BEBM handles all event ordering and accounting for the processor. Applicant's independent claim 25 recites applicant's method claim in accordance with the independent apparatus claims. The Examiner has rejected claims 9, 17 and 25 using the criteria for the rejection of applicant's claim 1, with the exception of the recitation of "memory coupled to the processor" in claim 9, stating that Chang discloses this limitation. In view of the above arguments presented by applicant on behalf of claim 1, claims 9, 17 and 25 are then also clearly and unarguably patentable over Chang, and depending claims 2-8, 10-16, 18-24 and 26-32 are then patentable on their own merits, or at least as depended from a patentable claim.

As all of the claims have been clearly shown to be patentable over Chang, applicant respectfully requests that this application be reconsidered, the claims be allowed, and that this case be passed quickly to issue.

If there are any time extensions needed beyond any extension specifically requested with this amendment, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
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